

ZONING AND ADJUSTMENT BOARD

November 6, 2006

The Zoning and Adjustment Board of Sumter County, Florida, convened on Monday, November 6, 2006, at 6:30 P.M. with the following members present: Larry Story – Chairman, Marge Thies, Ron Berry, Frank Topping, Frank Szczepanski, Dossie Singleton, Rusty Mask and Bailey Cassels. Evan Merritt, Todd Brown, and Richard Cole, Jr. were absent. R. Lee Hawkins - Zoning and Adjustment Board Attorney, Sandy Cassels- Board Secretary, and Bradley Cornelius-Planning Manager, were present.

Chairman Larry Story called the meeting to order.

The Board members led everyone in the pledge of allegiance and prayer.

Mr. Story presented the proof of publication.

Mr. Singleton made a motion to approve the minutes from the October 16, 2006, meeting. Mr. Berry seconded the motion and the motion carried.

S2006-0012

Robert Lamar Hall, Jr., Trustee

Mr. Cornelius explained staff would like to table this case until the November 20, 2006, Zoning and Adjustment Board (ZAB) meeting due to more information being required from the applicant.

Mr. Berry made the motion to table this case until the November 20, 2006 ZAB meeting. Mr. Singleton seconded the motion and the motion carried.

S2006-0011

Orange Blossom Gardens

Mr. Cornelius explained staff and the applicant would like to table this case until the December 4, 2006, Zoning and Adjustment Board (ZAB) meeting due to the applicant trying to resolve issues with the Public Works Department.

Mr. Topping made the motion to table this case until the December 4, 2006 ZAB meeting. Mr. Berry seconded the motion and the motion carried.

OP2006-0005

Black Gold

Mr. Cornelius explained staff would like this case to be tabled until the December 4, 2006, Zoning and Adjustment Board (ZAB) meeting. The applicant has received notice from the Department of Environmental Protection (DEP) to cease operation until they resolve issues with their permit.

Mr. Berry made the motion to table this case until the December 4, 2006, ZAB meeting. Mr. Cassels seconded the motion and the motion carried.

R2006-0080

Julia Duteau & William Hogan

Mr. Berry made a motion to remove this case from the table. Ms. Thies seconded the motion and the motion carried.

William Hogan, applicant, was present and requesting a rezoning on 1.21 acres MOL from a non-vested C2 to R2C to bring the property into compliance with the Future Land Use Map. There were nine (9) notices sent. Of the nine (9) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Topping made the motion to recommend approval of the rezoning to the Board of County Commissioners on 1.21 acres MOL from a non-vested C2 to R2C. Mr. Mask seconded the motion and the motion carried.

T2006-0041

Sharon Whitman & Robert Dibble

Robert Dibble, applicant, was present and requesting a Temporary Use Permit for one (1) year for a RV while his residence is being constructed. There were seven (7) notices sent. Of the seven (7) notices sent, two (2) were returned in favor and none were returned in objection. There were no objections from the audience. Mr.

Topping asked Mr. Dibble if he was going to construct the residence as owner/builder. Mr. Dibble stated he has hired a contractor. Mr. Cassels asked Mr. Dibble how he would be disposing of the waster water from the RV. Mr. Dibble explained he is going to connect to the existing septic tank on the property. Mr. Topping made the motion to approve the Temporary Use Permit for one (1) year for a RV while the residence is being constructed. Mr. Cassels seconded the motion and the motion carried.

T2006-0042

Brian & Kathryn Adams

No one was present for the applicant.

Mr. Berry made the motion to table this case until the end of the meeting. Mr. Singleton seconded the motion and the motion carried.

SS2006-0025

Scott & Melissa Mann

Richard Helms, representative for the applicant, was present and requesting a Small Scale Future Land Use Amendment on 1.65 acres MOL from Low Density Residential to Medium Density Residential. There were five (5) notices sent. Of the five (5) notices sent, none were received in favor or in objection. There was an audience member who had questions. Mr. Helms explained the applicant would like to divide the property into four (4) parcels and build site-built homes on them and after they have rezoned and gone through the subdivision process with the county, they would like to annex into the City of Bushnell. The audience member asked what the new future land use and zoning would allow. Mr. Cornelius explained the land use change and rezoning would allow four (4) site-built (conventional) homes per acre. The audience member stated traffic is already a problem and many of the adjacent property owners use his property as a driveway. Mr. Cornelius stated this area of the county has ½ acre density and the City of Bushnell has a higher density. Mr. Cornelius also stated this property is in a platted subdivision. Ms. Thies stated some of the property has been divided previously. Mr. Cassels questioned Mr. Helms in regards to the flood zone area shown on the map. Mr. Helms stated he has a survey showing the flood zone is in a different area of the property and is smaller than what is shown on the map. Mr. Helms stated the survey he has also shows the lot configuration.

Mr. Berry made the motion to recommend approval of the Small Scale Future Land Use Amendment to the Board of County Commissioners. Ms. Thies seconded the motion and the motion carried with a 7-1 vote. Roll call: Frank Topping – nay, Frank Szczepanski – aye, Marge Thies – aye, Dossie Singleton – aye, Larry Story – aye, Ron Berry – aye, Rusty Mask – aye, Bailey Cassels - aye.

R2006-0084

Scott & Melissa Mann

Richard Helms, representative for the applicant, was present and requesting a rezoning on 1.65 acres MOL from RR to R4C. This rezoning is for the previous case (SS2006-0025).

Mr. Berry made the motion to recommend approval of the rezoning to the Board of County Commissioners. Ms. Thies seconded the motion and the motion carried with a 7-1 vote. Roll call: Frank Topping – nay, Frank Szczepanski – aye, Marge Thies – aye, Dossie Singleton – aye, Larry Story – aye, Ron Berry – aye, Rusty Mask – aye, Bailey Cassels - aye.

SS2006-0026

Travis & Catherine Collins

Travis Collins, applicant, was present and requesting a Small Scale Future Land Use Amendment on 0.77 of an acre MOL from Rural Residential to Commercial. There were three (3) notices sent. Of the three (3) notices sent, none were received in favor or in objection. There were no objections from the audience. Mr. Topping asked Mr. Collins what his plans for the property were. Mr. Collins explained he intends to have a motorcycle/ATV repair shop. Mr. Szczepanski asked Mr. Collins how much of the property he plans on utilizing. Mr. Collins stated there is a 40' x 50' existing foundation he plans on using.

Mr. Cassels made the motion to recommend approval of the Small Scale Future Land Use Amendment to the Board of County Commissioners. Ms. Thies seconded the motion and the motion carried.

R2006-0087

Travis & Catherine Collins

Travis Collins, applicant, was present and requesting a rezoning on 0.77 of an acre MOL from a non-vested C1 to CH. This rezoning is fro the previous case (SS2006-0026). Mr. Topping asked Mr. Collins about outside storage. Mr. Collins stated there would be some outside storage, but most will be inside the building. Mr.

Cornelius explained the property would require buffering around the property lines and the type would be determined at the time of development review.

Mr. Topping made the motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Cassels seconded the motion and the motion carried.

SS2006-0027

Hang It Wright Drywall, Inc.

Lisa Maulden and James Wright, representatives for the applicant, were present and requesting a Small Scale Future Land Use Amendment on 1.5 acres MOL from Agricultural to Commercial. There were five (5) notices sent. Of the five (5) notices sent, one (1) was returned in favor, five (5) were submitted with the application in favor and none were returned in objection. There were no objections from the audience. Mr. Topping asked Mr. Wright why they converted the property into a commercial venture prior to getting the correct land use and zoning from the county. Ms. Maulden explained some of the neighbors were discussing annexing into the City of Wildwood and she believed after the neighbors annexed, she would also be able to annex into the city and have the commercial zoning she required. Mr. Topping stated he thought there was a study done by the Planning and Development staff for commercial zonings and land uses in the area. Mr. Cornelius stated he would check into this and get back with the Zoning and Adjustment (ZAB) board. Mr. Cornelius asked the applicant if they would be willing to table this case until the November 20, 2006, ZAB meeting and the November 28, 2006, Board of County Commissioners (BOCC) meeting, in which the applicants were in agreement with this.

Mr. Topping made a motion to table this case until the November 20, 2006, ZAB meeting and the November 28, 2006, BOCC meeting. Mr. Berry seconded the motion and the motion carried.

R2006-0088

Hang It Wright Drywall

This rezoning is related to the above case (SS2006-0027) and was tabled until the November 20, 2006, Zoning and Adjustment Board (ZAB) meeting, and the November 28, 2006, Board of County Commissioners (BOCC) meeting.

R2006-0081

Phillip Scott

Phillip Scott, applicant, was present and requesting a rezoning on 1.4 acres MOL from a non-compliant A5 to RR1C on a vested parcel of record. There were two (2) notices sent. Of the two (2) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Topping made the motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Berry seconded the motion and the motion carried.

R2006-0082

Wanda & Cullen M. Brown, Jr.

Reggie Caruthers, representative for the applicant, was present and requesting a rezoning on 1.6 acres MOL from a non-compliant A5 to Industrial (ID) to bring the property into compliance with the Future Land Use Map. There were three (3) notices sent. Of the three (3) notices sent, none were received in favor or in objection. There were no objections from the audience.

Mr. Topping made a motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Szczepanski seconded the motion and the motion carried.

R2006-0083

Priscilla Sanders

Priscilla Sanders, applicant, was present and requesting a rezoning on 3.2 acres MOL from a non-compliant A5 to R4C on two (2) vested parcels of record to bring the property into compliance with the Future Land Use Map. There were three (3) notices sent. Of the three (3) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Topping made the motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Szczepanski seconded the motion and the motion carried.

R2006-0085

Kenneth & Mona Hughes

Mona Hughes, applicant, was present and requesting a rezoning on 6.53 acres MOL from RR5 to RR1 to complete a lineal transfer. There were six (6) notices sent. Of the six (6) notices sent, one (1) was returned in

favor and none were returned in objection. There were no objections from the audience. Mr. Berry asked Mrs. Hughes what the plans for the property were. Mrs. Hughes stated she is deeding two (2) acres to her daughter so she can move to the Bushnell area. Mr. Cornelius stated the lineal transfer took effect prior to the new ordinance for lineal transfers.

Mr. Topping made a motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Singleton seconded the motion and the motion carried.

R2006-0086

Debra & WC Giddens, Jr.

William C. Giddens, applicant, was present and requesting a rezoning on 8.5 acres MOL from C1 to CH. There were nine (9) notices sent. Of the nine (9) notices sent, none were returned in favor or in objection. There were no objections from the audience. Mr. Topping asked Mr. Giddens what his plans were for the property. Mr. Giddens explained he is bringing the property into alignment with the surrounding properties. Mr. Giddens stated he has no plans at the present time to develop the property further.

Mr. Topping made a motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Berry seconded the motion and the motion carried.

New business:

Mr. Berry asked about bringing property into compliance with the Future Land Use Map. Mrs. Cassels explained it would depend on the size of the property and the future land use, for example, a parcel that is two (2) acres in size with a future land use of Rural Residential, which has a minimum density requirement of one (1) acre, and has a zoning of a non-complaint A5 and rezoning to RR1C.

Mr. Topping asked to go on record as requesting a staff report requiring the use of reclaimed water or alternative water sources such as the Low Floridian aquifer for irrigation on large projects. Mr. Cornelius stated he would work on this for the December 4, 2006, meeting.

Mr. Cornelius stated staff is in the process of preparing maps of the SR 44 corridor for the Zoning and Adjustment Board (ZAB) to review land uses within the vicinity of the Orange Homes Subdivision.

Mr. Berry made a motion to adjourn the meeting at 7:25 pm. Ms. Thies seconded the motion and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board